

## **E-SPORT: LEGAL REGULATION AND ORGANIZATION**

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### **ABSTRACT**

This paper analyzes e-sports as a specific form of sports competition, focusing on its organization and legal regulation. E-sports, which involve professional competition in video games, have become a global phenomenon with significant social, economic, and cultural impact. The paper explores the historical development of e-sports, its structure, organization, and the legal frameworks that enable the functioning of this industry at the international level. Special attention is given to the analysis of regulations in different countries and the role of international organizations in promoting e-sports. Ethical issues, participants' rights, and challenges related to the standardization of rules are also examined. The aim of the paper is to provide a comprehensive overview of the current state of e-sports, highlight its perspective as a sports discipline, and emphasize the importance of further development of legal and organizational standards. The applied methodology is based on a comparative analysis of existing e-sports organizations worldwide and in the region, through the settings, perspectives, and development of the sport and its organization, with a particular focus on legal regulation, which in Serbia almost does not exist for this branch of sport. By reviewing global and domestic literature across various scientific databases, this paper provides an integrated picture of the entire functioning system and offers proposals for improving e-sports.

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### **APSTRAKT**

Ovaj rad analizira e-sport kao specifičan oblik sportskog takmičenja, fokusirajući se na njegovu organizaciju i pravnu regulativu. E-sport, koji podrazumeva profesionalno takmičenje u video-igrama, postao je globalni fenomen sa značajnim društvenim, ekonomskim i kulturnim uticajem. Rad istražuje istorijski razvoj e-sporta, njegovu strukturu, organizaciju i pravne okvire koji omogućavaju funkcionisanje ove industrije na međunarodnom nivou. Posebna pažnja posvećena je analizi regulative u različitim zemljama i ulozi međunarodnih organizacija u afirmaciji e-sporta. Takođe, razmatraju se etička pitanja, prava učesnika i izazovi u vezi sa standardizacijom pravila. Cilj rada je pružiti celovitu sliku trenutnog stanja e-sporta, osvetliti njegovu perspektivu kao sportske discipline i ukazati na važnost daljeg razvoja pravnih i organizacionih standarda. Metodologija koja je korišćena u radu bazira se na komparativnoj analizi postojećih e-sport organizacija u svetu i regionu kroz postavke, perspektivu i razvoj samog sporta i njegove organizacije sa posebnim osvrtom na pravnu regulativu koja u Srbiji gotovo i da ne postoji za ovu sportsku granu. Pregledom svetske i domaće literature u različitim naučnim bazama ovim radom sklopljena je slika o celokupnom sistemu funkcionisanja i predlozima za unapređenje e-sporta.

**Ključne reči:** međunarodna regulativa, globalni fenomen, video-igre, etička pitanja, standardizacija, organizacione postavke.

### **Introduction**

In modern society, information and communication technologies play a crucial role in shaping economic, social and cultural flows. Their development led to the emergence of new forms of interaction, the creation of digital communities and the transformation of entire industries. One of the most pronounced phenomena in this context is the development of video games, which have become a global industry with multiple social and economic implications. A special place within this industry is occupied by e-sports, i.e. electronic sports, which are defined as organized competitions in video games with clearly established rules and a professional structure. From its first, informal manifestations and gatherings of enthusiasts during the nineties of the last century, e-sports has grown into a multi-billion dollar industry, recognized in an increasing number of countries as an integral part of the modern sports and entertainment system (Newzoo, 2021; Newzoo, 2023).

E-sports has experienced a radical transformation over the last decades. While

in its beginnings it was perceived solely as a form of entertainment, today it has the status of a serious professional discipline that brings together leagues, teams, sponsors and organizers of events with multi-million prize funds. Professional e-athletes enjoy media attention and status similar to traditional athletes, while global brands such as Coca-Cola, Red Bull and Intel have recognized its commercial potential and become involved as sponsors and partners of major international competitions. According to a report by Newzoo (2023), the market value of the industry in 2023 exceeded US\$ 1.38 billion, with forecasts to continue growing at double-digit rates in the coming years. This value includes not only prize money, but also revenues from sponsorships, media rights, ticket sales, digital services and merchandising, making eSports one of the most dynamic segments of the global entertainment industry.

The structure of the e-sports industry shows an increasing similarity to traditional sports. The organization of leagues and seasons follows the model of professional sports competitions, teams function as professional organizations with coaches, analysts and logistical support, while the franchise model, present in leagues such as the League of Legends Championship Series or the Overwatch League, ensures institutional stability and investment (Jonsson & Woodcock, 2017; Renkai, Xinning & Yubo, 2022). The competitions span different genres of games - from strategy and shooters, through MOBA titles, to sports simulations - thus positioning e-sports as an inclusive and widely accessible form of digital sports. Audience and viewership play a central role: according to Newzoo (2020), the number of viewers of e-sports exceeds that of many traditional sports, and streaming platforms such as Twitch and YouTube have contributed to the internationalization of this phenomenon and the creation of a global fan base (Nielsen, 2018).

However, the development of e-sports would not be possible without the parallel development of information and communication technologies and the process of globalization. The Internet and digital platforms enabled the global connection of players and spectators, while cloud computing, VR and AR technologies contributed to the creation of a sophisticated and demanding competitive environment (Wagner, 2007). These technologies not only accelerated the spread of e-sports, but also allowed it to grow beyond the borders of national markets and become a global phenomenon, accessible to participants and audiences regardless of geographic and cultural barriers. Thus, e-sports, like traditional sports, became a means of connecting different social and cultural communities.

E-sports has also found its place in educational and professional contexts. An increasing number of universities and educational institutions are introducing programs dedicated to eSports management, game development and digital marketing, recognizing this industry as a promising job market. Professional players pursue careers comparable to those in traditional sports, while educational programs contribute to the creation of new profiles of

professionals needed to support the industry. These trends indicate that e-sport is not just a passing form of entertainment, but an integral part of modern society and economy (Tassi, 2013).

However, despite the impressive growth, the industry faces serious challenges, especially in the area of legal regulation. The main issues relate to the protection of intellectual property, since the video games that form the basis of e-sports are copyrighted works and products of creative industries. As Čeranić Perišić (2023) emphasizes, the protection of copyrights and licenses is the foundation of the functioning of e-sports, as it allows game developers to maintain control over the use of their products in professional competitions and prevent their unauthorized use. In addition to intellectual property issues, legal regulations also include the protection of players' rights, working conditions, health care and ethical norms. Thompson (2013) points out that the implementation of fair play and ethical standards in the digital environment is one of the biggest challenges of e-sports, because the same principles must apply as in traditional sports.

Legal aspects become especially important when looking at the economic side of the industry. With revenues measured in the billions of dollars annually (Newzoo, 2021), eSports generates revenue from sponsorships, event broadcasts, sales of products and services, but without clear legal regulation these flows remain subject to uncertainty and potential abuse. The legislative framework must therefore ensure the transparency and stability of economic relations, as well as the protection of all participants - from players and teams to organizers and sponsors. At the international level, organizations such as the World Esports Association (WESA) and the International Esports Federation (IESF) are working to standardize rules and protect participants, while the International Olympic Committee (IOC, 2015) emphasizes the need for e-sports to fit into wider sports frameworks and be regulated in accordance with the values of the Olympic movement.

Based on these facts, it is clear that e-sport represents one of the most significant phenomena of modern society and economy. Its growth and institutionalization require further legal regulation and standardization at the international level, in order to ensure the professionalism, stability and legitimacy of the industry. The goal of this paper is to provide a comprehensive overview of the current state of e-sports, with special emphasis on organizational and legal aspects, as well as to identify key challenges and obstacles in its further institutionalization and regulation. The analysis of existing legal and organizational mechanisms, as well as examples of different countries and international organizations, will enable an overview of the potential of e-sports and the formulation of recommendations for its further sustainable development.

The contribution of this work is reflected in its integrative and comparative approach to the analysis of e-sports, which brings together the organizational,

legal and institutional aspects of this field in one place, with a special focus on the insufficiently researched context of Serbia. In contrast to the existing literature, which most often deals with partial segments (eg economics or individual legal issues), this paper systematically links global trends with the domestic legal framework and identifies concrete gaps in regulation. The added value of the work is in formulating recommendations for improving the legal and organizational structure of e-sports, which contributes not only to theoretical understanding, but also to practical application in the process of its institutionalization.

## **Method**

A combined methodological approach, based on descriptive, comparative and deductive methods, was used in the preparation of the paper. The descriptive method enabled a systematic presentation of the development of e-sports and its transformation from a form of entertainment to a recognized sports discipline, while the comparative method was crucial for seeing the differences and similarities in the legal frameworks of different countries, as well as for comparing institutional solutions at the international level. The deductive method made it possible to draw conclusions and formulate recommendations about possible directions for the development of legal regulations in Serbia, based on already existing examples and experiences from the practice of other countries and international organizations. This combination of methodological approaches made it possible to see the phenomenon of e-sports as a whole, with special emphasis on its organizational structure, institutional regulation and perspectives for further development.

To collect literature, the Google Scholar search engine was used, as well as the service of the Consortium of Serbian Libraries for unified acquisition - KOBSON, with additional access to other relevant international scientific databases. The search was conducted using the keywords: "e-sport", "legal regulation", "e-sport organization" and "international e-sport organization", and included sources in Serbian, Croatian and English languages. Special focus is placed on works and reports published in the last 6-7 years, including relevant laws, regulations and international documents, among which the Global Games Market Report (Newzoo, 2021) stands out. The criteria for including papers in the analysis included the availability of the entire text, focus on issues of legal regulation, organization and management of e-sports, as well as reports on held international and national competitions. In addition, domestic legal regulations were used in the work (Law on Sports, 2016; Law on Labor, 2018; Law on Obligations, 2020), which made it possible to see the context of Serbia in comparison with global trends.

In order to bridge language barriers and accurately understand professional terminology, the ChatGPT tool was also used, which served as support for translating and paraphrasing parts of international scientific literature. In this

way, the credibility of the translation and consistency in terminological usage are ensured, which additionally ensures the scientific reliability of the work. By combining the aforementioned methodological approaches and instruments, it is possible to carry out the research comprehensively and to offer a critically and analytically based picture of the current state and perspective of the development of e-sports, especially in terms of its legal regulation and institutionalization.

## **Results**

The global growth of e-sports cannot be explained solely by technological progress, although the development of information and communication technologies has undoubtedly been a key driver of this industry. In addition, changes in social norms and consumption habits of modern generations play an equally important role. Digitization and the spread of the Internet have enabled the general population to become part of e-sports, either by active participation in competitions, or by passively following events on digital platforms. This accessibility has contributed to e-sports crossing the borders of local communities and growing into a global phenomenon with an audience of millions and growing economic importance. According to PwC (2020), the eSports market generated a global revenue of approximately US\$1.1 billion in 2019, while projections indicated growth up to US\$1.8 billion in 2023. This growth trend is associated primarily with the rise in popularity of streaming services such as Twitch and YouTube. It was these platforms that enabled the global distribution of content, ensured interactive communication between players and audiences, and created a transnational community that overcomes cultural and language barriers. Additionally, e-sports is becoming an attractive option for modern consumers, especially for young generations who aspire to digital and interactive forms of entertainment. In this way, e-sport is not only a professional competition, but also a hobby and a form of social interaction, thus enabling a wide range of engagement at different levels. It is recognized that a large number of individuals today see e-sports as a career path, while others remain at the recreational level, which further expands its base and solidifies its social importance (Nielsen, 2018).

When it comes to economic aspects, e-sports generates revenue from several key sources. One of the most dominant is sponsorship and advertising. Major multinational companies, including electronics, beverage and fast food manufacturers, have recognized e-sports as a unique channel to promote their products and services. According to PwC (2020), sponsorships and advertising contracts represent the most significant segment of the total eSports market revenue, thus confirming its potential as an advertising medium. In addition, a significant part of the income is generated by the sale of rights to broadcast events. The model is similar to that of traditional sports - tournament organizers make money by selling licenses to television and digital channels.

Streaming platforms such as Twitch and YouTube play a key role, while e-sports content is increasingly broadcast on television channels, which further expands the audience and increases the commercial value of these events. The third source of income is related to the sale of in-game products and official merchandise. Many popular games offer options to purchase virtual items, cosmetics and equipment, which becomes a significant income generator. In parallel, the sale of official products of teams and organizations - such as t-shirts, caps and other items with logos - contributes to the creation of additional value and strengthening of the brand within the e-sports community. Finally, physical events and tournaments generate revenue through ticket sales and venue licensing. The largest international tournaments, such as The International in Dota 2 or the League of Legends World Championship, gather hundreds of thousands of visitors, while at the same time attracting millions of audiences around the world through digital platforms. In this way, ticket sales and access to live events become an additional pillar of the financial viability of the eSports industry.

E-sports, as an industry and phenomenon, could not exist without a strong foundation of information and communication technologies (ICT). The development and expansion of e-sports is directly related to the progress of computer systems, network technologies and digital platforms. The Internet has played a key role in the development of video games and their positioning in modern society. We can label that process as the globalization of video games, which has created a huge community of users who are ready to allocate time and money to enjoy the increasingly high-quality products that the market offers (Lončar, 2005). According to research from 2017, as many as 2.2 billion people worldwide used video games in some way, which contributed to a profit of 108.9 billion dollars. The largest part of this market is the Asia-Pacific region, where China stands out with earnings of \$27.5 billion in 2017 (Newzoo, 2017). By 2018, the number of users was estimated at 2.3 billion, with a projected revenue of \$137.9 billion, representing a jump of almost \$30 billion compared to the previous year (Newzoo, 2018). These figures confirm the rapid growth of the video game industry and its importance to the global economy.

At the very beginning of the development of e-sports, video games were simple applications that were played on computer systems in local conditions. However, as technologies advanced, so did the complexity of games. Today, e-sports encompasses a wide range of different game genres, from fighting games, through real-time strategies, to sports simulations. The development of computer graphics, virtual reality (VR) and augmented reality (AR), as well as the improvement of computer systems, have enabled sophisticated games that require high technical resources and complex infrastructure to perform competitions (Nielsen, 2018).

The first technological challenge facing the e-sports industry was enabling online gaming, which was largely realized through the advancement of network

technologies. Through stable and fast Internet connections, as well as with the development of cloud computing, the mass connection of players around the world is enabled. These online platforms, such as Steam and Battle.net, have become essential tools for organizing online competitions, creating the basis for the global phenomenon of e-sports (Wagner, 2007). Real-time data transmission technology has enabled the creation of professional esports leagues and competitions with large numbers of participants and global audiences.

As one of the most important elements in the development of e-sports, the Internet has enabled global connectivity and quick access to games and competitions. The progressive development of Internet platforms, such as Twitch, YouTube, and Facebook Gaming, has created specific channels for the transmission of e-sports events, allowing millions of viewers to follow the competitions in real time. According to data from 2020, Twitch had more than 15 million daily users who followed live streams related to e-sports (Newzoo, 2020). In addition, numerous resources for education, analysis and commentary of games have become available on the Internet, thus creating additional value in the industry. Digital platforms such as Steam and the Epic Games Store have enabled the distribution of games and microtransactions, thus directly linked to the eSports economy. Games can be purchased on them, and in-game products such as virtual gear and cosmetic items are also sold through them. Also, these channels allow organizers of e-sports events to sell broadcast rights and connect directly with the audience. These digital ecosystems shape the eSports market and have a direct impact on its economic growth (Anderson, 2021).

E-sport, as a modern phenomenon, is recognized not only as entertainment, but also as a serious professional sector with specific characteristics that distinguish it from other forms of sports. One of the basic characteristics of e-sports is the competitive aspect. E-sports encompasses a wide range of video games in which players or teams compete for prestigious prizes, sponsorship deals and international fame. These competitions can be individual or team, and competitors can be amateurs or professionals. Professional e-athletes invest a significant part of their time and resources in training, strategic planning and developing team skills in order to achieve top results in international and national competitions (Jonsson, 2018).

Similar to traditional sports, eSports competitions often have strict rules and time limits. Players must follow a set of specific rules that apply to all aspects of the game - from how to make moves, to behavior during a match. Many games, such as League of Legends (LoL) and Dota 2, have specially defined "seasons" in which players compete for rankings and sponsorship, which is the core element that makes them sports in the true sense.

In addition to individual competitors, e-sport is also characterized by the presence of professional teams and organizations. In many disciplines, such as

Counter-Strike: Global Offensive (CS) or Overwatch, competitions are team-based, and it is important that team members cooperate with each other, develop synergy and use collective strategies. This team aspect of e-sports is reminiscent of team sports such as football, basketball or handball, where coordination and mutual trust between players is important. Professional eSports teams typically work with coaches, analysts, and psychologists to improve the performance of their players. These organizations invest in training their teams, analyzing the game and optimizing strategies to maintain a competitive edge. Also, teams often have their own sponsors and use social networks to promote their brands, which allows them additional financial support (Scholz & Stein, 2017).

Technology and digital infrastructure form the basis of e-sports. The setting of global networks made it possible to play online and connect players from different parts of the world. Platforms such as Steam, Twitch, and Battle.net allow players to connect and compete in real-time, while high-performance technology allows for a stable and quality gaming experience (Newzoo, 2020). In addition, advances in computer graphics, processors and internet networks have created a digital space in which eSports can grow. Professional players use the latest computers and equipment to ensure optimal gaming conditions. Also, live streaming platforms such as Twitch allow global audiences to follow competitions in real time, contributing to the creation of an eSports community around the world (Jonsson & Woodcock, 2017).

E-sports differs from traditional sports in that its audience is mostly made up of virtual spectators who follow events via online platforms. Esports viewership has seen continued growth, with the industry already surpassing the \$1 billion mark, with viewership surpassing many traditional sports such as NBA and NFL games (Newzoo, 2020). A global audience gathered on digital networks and platforms, along with interactive communication opportunities with players and organizations, further contributes to a specific sports experience that is highly socially connected (Mulle-Lietzkow, 2006). In parallel, international tournaments like The International in Dota 2 or the League of Legends World Championship promote multiculturalism and enable the networking of players from different countries, thereby confirming the international character of e-sports (Wagner, 2007; Hutchins & Rowe, 2012).

E-sports encompasses different genres of video games, each with its own rules, play styles, and goals. Although all genres are related to competition, each has specific challenges and requirements for players. The most popular genres of eSports games include:

1. Real time strategies (RTS – “real time strategy”) – Real time strategies are a genre in which players fight for dominance over resources and territories, managing the army and resources to defeat the opponent. Starcraft II and Warcraft III are two of the most famous titles in this genre,

and competitions in these games test players' abilities in terms of planning, resource management and decision-making speed. These games require extreme precision and the ability to predict the opponent's moves (Hutchins, Rowe, 2012).

2. First-Person Shooters (FPS) – First-person shooters such as Counter-Strike: Global Offensive (CS) and Overwatch are among the most popular e-sports games. In this genre, players compete in teams or individually, using different types of weapons to eliminate the opposing team. These games test reflexes, team coordination and the ability to make quick decisions under pressure. Competitions in this genre are usually played in an elimination format, where teams must destroy opposing bases or complete other objectives in order to win (Johnson, Woodcock, 2017).

3. MOBA (Multiplayer Online Battle Arena) – MOBA games, such as League of Legends (LoL) and Dota 2, have become key disciplines in e-sports. In these games, teams of players control heroes with different abilities, aiming to destroy the enemy's base while protecting their own base. LoL and Dota 2 have become icons of the e-sports scene, with large prize pools and global competitions. Competitions in MOBA games involve complex team dynamics, strategic plans and tactical adaptations during matches. This genre requires a high level of coordination, because success depends on effective cooperation between team members (Johnson, Woodcock, 2017).

4. Sports simulations – E-sports also includes games that simulate real sports, such as FIFA (soccer), NBA 2K (basketball) and Madden NFL (American football). These games allow players to take on the role of sports teams or individuals, simulating actual matches and competitions. Although these titles are less "action" in nature compared to FPS or MOBA games, they are very popular in the eSports industry due to their affordability and large base of sports fans. Competitions in sports simulations usually have a format similar to real sports leagues, with seasons and league games, making them particularly interesting for sports fans (Scholz, 2020).

5. Fighting games – There are also fighting games in e-sports, such as Tekken and Street Fighter, where two players compete in a fight using martial arts. Although fighting in video games cannot be compared to actual physical contact, fighting games are extremely popular and have their own e-sports scene. Competitions in these games often have an elimination format, where players strive to defeat opponents using different strategies and combinations of attacks (Hutchins, Rowe, 2012).

Competitions in e-sports can be organized in different ways, depending on the type of game, the number of participants and the geographical distribution. Some of the most popular competition formats include:

1. Online competitions – due to the nature of e-sports, many games allow online competitions, where players or teams compete online. This format allows the participation of competitors from all over the world, without the need for physical presence. Online competitions include qualifiers for major tournaments as well as league matches. Due to their accessibility, online competitions are the most common format in e-sports, especially for beginners and amateurs (Muller, 2006).
2. Live Tournaments – The biggest and most prestigious eSports events are often held as live tournaments. Events like The International in Dota 2 or the League of Legends World Championship attract professional teams from all over the world, who compete for big prizes and global fame. Live competitions usually involve multiple stages - group stage, elimination and final stage - and are often held in large arenas or specialized venues with large numbers of spectators (Scholz, 2020).
3. Leagues and Seasonal Competitions – Many games, like Overwatch and Rocket League, have their own professional leagues, which work with a similar logic to traditional sports systems. Teams play in leagues during the season, aiming to qualify for the finals. This competition format allows for a long-term competition, where teams compete against each other in the regular season before moving on to the elimination stages. Leagues usually have sponsorship deals, television broadcasts and accompanying marketing content (Johnson, Woodcock, 2017).
4. Friendly matches and exhibitions – In addition to serious competitions, e-sports also includes friendly matches and exhibition matches. These matches allow players and teams to showcase their abilities in a more relaxed atmosphere, without the stress of competition. Exhibitions often serve as a promotion or introduction to larger tournaments, but they also provide entertainment and audience interaction (Johnson, Woodcock, 2017).

E-sport as a global industry is based on the structured organization of teams, leagues and international institutions that contribute to its professionalization and expansion. Teams, such as Team Liquid, Cloud9 and Fnatic, bring together top players, coaches and managers, functioning similarly to traditional sports collectives, with an emphasis on mental preparation and team coordination (Scholz, 2020; Jonsson & Meier, 2018).

Leagues represent the basic form of competition and resemble traditional sports leagues, but are adapted to the specifics of the digital environment. The most famous example is the League of Legends professional league, which has a seasonal format and ends with the World Championship, while games like Overwatch, CS:GO and Dota 2 also have developed leagues with qualifiers and final tournaments. The franchising model present in the Overwatch League further reinforces the stability of the industry through sponsors and contracts (Renkai, Xinning & Yubo, 2022; Overwatch League, 2020).

At the international level, a key role is played by organizations such as the International Esports Federation (IESF), founded in 2008, which deals with the unification of rules and the promotion of e-sports, then the Electronic Sports League (ESL), which organizes the largest global tournaments and provides infrastructure to the industry, and the Global Esports Federation (GEF), founded in 2018, with the aim of standardizing and integrating e-sports into the Olympic framework (Scholz, 2019; Hutchins, 2018). Thanks to these structures, e-sports has grown into a global phenomenon with professional rules and international recognition.

E-sport, as a relatively new branch of sport, faces numerous challenges in terms of legal regulation, both at the national and international level. Its status in many countries is still not clearly defined, and existing laws are being adapted to areas such as gambling, copyright protection, labor law and sports. In the United States, regulation relies on intellectual property and gambling laws, while certain federal states (California, New York, Texas) introduce licensing and security measures for competitions. The European Union applies general regulations on the digital economy and consumer protection, with the Information Society Services Directive (2000/31/EC) having a direct impact on e-sports. In Asia, South Korea officially recognized e-sports as a sport as early as 2000, through the Korean e-Sports Association (KeSPA), while China treats e-sports as part of the sports industry, with separate copyright laws and online games.

At the international level, organizations such as the International eSports Federation (IeSF) and the World eSports Federation (ESWF) play a significant role, working to establish uniform standards and rules. The European Charter of Sport (1992) provides the basic principles of fair play, safety and protection of participants, while the UNESCO Charter on Physical Education and Sport (1978) emphasizes sport as a basic human right and promotes the values of equality and inclusion (UNESCO, 1978). In recent UNESCO documents, e-sport is increasingly recognized as a space for the development of digital competences, teamwork and education (UNESCO, 2020).

However, the legal framework for e-sports remains fragmented. There is a lack of universal guidelines that would cover the issues of intellectual property protection, regulation of online competitions, connection with gambling and ethical norms in virtual environments. A special challenge is the protection of underage players from manipulation, excessive work and psychological pressure. Although individual countries have already developed specific laws, and international organizations have launched initiatives, globally uniform regulations do not yet exist. The further development of international documents and the cooperation of organizations such as UNESCO and the World Federation for eSports will be crucial for the professionalization and stability of the industry in the future.

UNESCO, as a leading international organization for education, science and culture, increasingly recognizes the importance of e-sports in the social and cultural context. Although e-sport is not yet part of the core mandates, UNESCO through the International Charter on Physical Education and Sport (1978) highlighted sport as a basic human right, emphasizing equality, fair play and the development of physical, intellectual and moral abilities (UNESCO, 1978; UNESCO, Art. 2). These values can also be applied to e-sport, which requires discipline, strategic thinking and mental strength (Andonović & Radovanović, 2019). In recent documents, UNESCO has emphasized the development of digital competences and creative industries, whereby e-sports is increasingly seen as a tool for education, teamwork and digital literacy (UNESCO, 2020). At the same time, the organization initiates discussions about ethical challenges in the industry - the health of players, the fight against doping and the promotion of positive values (Andonović & Radovanović, 2019).

The European Charter of Sport (1992) sets the framework for the regulation of sports activities in Europe, including e-sports. Similar principles are emphasized by the Olympic Charter (2015), defining Olympism as a philosophy based on culture, education, ethics and fair play (Andonović & Radovanović, 2019). These values - team spirit, social responsibility, inclusion and non-violence - are also present in e-sports, where fair play is the basic condition of competition.

The European Commission (2020) highlights the role of sports, including e-sports, in education, health and social cohesion, and emphasizes the need for market regulation, fair competition and transparency of organizers and sponsors.

Founded in 2008, IeSF aims to promote e-sports as an official sport, create uniform rules and organize international competitions. The Federation advocates for the protection of the interests of players and organizations, and promotes ethical norms - prohibition of doping, manipulation and unsportsmanlike behavior. It also works to harmonize legal regulations with international standards and cooperates with the International Olympic Committee (IOC, 2020).

The IOC has not yet fully recognized e-sports, but recognizes its potential and is cooperating with e-sports organizations for future integration into the Olympic framework. Special emphasis is placed on preserving the values of sport - fair play, non-violence and ethical behavior - as well as on the development of health and safety standards for professional players (IOC, 2020). Together with UNESCO, the European Commission and the IeSF, the IOC plays a key role in shaping the legal and ethical norms that bring e-sports closer to traditional sports and global sports institutions.

E-sports has become a global phenomenon, but its recognition as a sport varies around the world, depending on cultural, legal and social circumstances. Finland is among the first countries to officially recognize e-sports through the

National Sports Organization (SAK) in 2018. The formation of the e-sport federation enabled financing and institutional support. According to Miija Hämäläinen, director of the Finnish eSports Federation, the recognition brought legitimacy and resources for further development (Viitanen, 2019). In the same year, Germany provided e-sports with institutional and financial support through the German Sports Association. Although this facilitates integration into the sports community, there is still skepticism among traditional sports organizations. Peter Müller points out that the real challenge is changing cultural attitudes towards video games (Speight, 2018). In the United States of America, the status of e-sports depends on the federal states. Some recognize it, while in others it is still a matter of debate. A major role is played by commercial entities that developed the infrastructure and enabled industrial growth. According to the American Esports Federation, the recognition of eSports depends on the balance between commercial interests and educational-sports standards (AEF, 2020). In 2019, Turkey adopted a national strategy for the development of e-sports. Although it has not yet been formally recognized as a sport, the state actively invests in infrastructure, education, and talent development, thereby encouraging economic and social growth (Turkish Ministry of Sports, 2019). In the Philippines, where eSports is particularly popular among young people, the Philippine ESports Federation (PESF) was founded in 2019. According to Alvin R. Stanton, President of the PESF, hosting major international tournaments represents an important economic and cultural opportunity for the country (Stanton, 2020).

All these countries show that the recognition of eSports depends on different factors. Finland and Germany emphasize institutional support, the US and the Philippines the commercial dimension, while Turkey combines state and market approaches. Despite the differences, e-sports is globally establishing itself as a legitimate and ubiquitous sports discipline.

E-sports is based on pre-defined rules, fair play and competitive structure, which brings it closer to traditional sports. Proponents emphasize that it develops mental abilities and strategic thinking, comparing it to chess, which is recognized as a sport even though it relies solely on intellectual skills (Kane & Spradley, 2017). Opponents emphasize the lack of physical activity and dependence on technical means. Thomas Bach, president of the IOC, stated that e-sports should not be part of the Olympic Games because it "promotes violence and discrimination in shooting games" (De Menezes, 2018). However, there are strict sanctions for inappropriate behavior, as well as examples of inclusivity, such as the Overwatch League where men and women participate equally (Macdonald, 2018).

E-sports is already recognized as a professional sport in the USA, Finland and Germany (Brautigam, 2018; Speight, 2018; Tassi, 2018), while the World Federation for e-Sports is actively working on international recognition and promotion. The legal framework of e-sports is fragmented and different by

country. Competitions are generally treated as commercial events, often governed by game publisher rules (Carter & Gibbs, 2013; Holden, 2020). In some countries, e-sport has the status of a traditional sport, while elsewhere it is not formally recognized. Professional players often work under precarious contracts, facing long working hours and legal gaps regarding labor rights and social protection (Tassi, 2013). International standardization is needed to protect players' rights and ensure industry stability (Taylor, 2018). Contracts in eSports often favor organizations, while player transfers remain unregulated and legally unclear (Holden, Edelman & Baker, 2020; Scholz, 2020). Sponsorships are crucial for funding, but require clearer legal frameworks (Freitas, 2023). Video games include multiple copyrighted components, and piracy and fan content further complicate legal protection (Dimita, 2023). A clearer legal framework is necessary for stability and innovation. The industry collects huge amounts of data, which imposes the need to comply with regulations like GDPR (Li, Yu & He, 2019; Denisova & Labrov, 2024). Cyber attacks and data leaks require investment in security technologies and user education. The anonymity of the Internet increases the risk of violent behavior and hate speech. Codes of ethics, sanctions and education are key tools for creating a safer environment (Ghoshal, 2019).

## **Discussion**

The discussion on the future legal regulation of e-sports must be viewed through the prism of its global expansion and the fact that it is an industry that develops much faster than legislative processes. Recommendations for legal regulation point to the need to adopt a comprehensive legislative framework that would include the organization of competitions, protection of intellectual property, labor and social rights of players, as well as data security and privacy. Currently, eSports is often treated as part of the wider entertainment or sports industry, leading to legal gaps and a lack of precise guidelines. Specific legislation could provide clear mechanisms for the regulation of contracts, sponsorships, transfers and ethical codes, thus ensuring legal certainty and long-term stability of the industry (Sidikov, 2024). In parallel, the development of international standards, through the cooperation of organizations such as UNESCO, IOC and IeSF, can contribute to the harmonization of regulations at the global level and facilitate the resolution of transnational issues, especially in relation to player transfers and rights to broadcast events (Sidikov, 2024).

The protection of players and their labor rights is of particular importance within the future regulation. Although e-sports has become a professionalized sector, players are often left without adequate social and legal protection. This refers to contracts that are often unilaterally tailored in favor of organizations, insufficient regulation of transfers and the absence of mechanisms for the protection of minors, even though young people make up a significant part of the professional scene (Shinohara, 2023). The adoption of legal solutions that

regulate the rights to working hours, wages, health care and protection against discrimination is a key step towards maintaining the integrity of the industry. In addition, the creation of specific legal instruments for underage players would enable their better protection from abuses, but also from the consequences of intense competitive pressure.

The area of data protection and privacy is becoming increasingly important as e-sports companies process huge amounts of personal and financial information. The obligation to comply with international standards such as GDPR is proving to be a necessary prerequisite for maintaining public trust (Li, Yu & He, 2019; Denisova & Labrov, 2024). The introduction of stricter norms on transparency of data processing, user protection and responsibility of organizers and platforms should be a priority. The issue of cyber security becomes especially important, as cyber attacks, identity theft and data leaks threaten the financial stability and reputation of the industry. The long-term sustainability of e-sports will depend precisely on whether companies and regulators manage to establish a balance between commercial interest and the protection of user privacy (Sidikov, 2024).

Prevention of violence and discrimination in e-sports is a special challenge in the digital environment, where anonymity can encourage negative behaviors. Codes of ethics introduced by professional organizations have become a key instrument in regulating the behavior of players and teams, while education on fair play and mutual respect can contribute to creating a healthier and safer competitive environment (Ghoshal, 2019). However, in order for those codes to be applied in practice, it is necessary for the legislative framework to provide for appropriate punitive measures for violators. This ensures consistency in the enforcement of rules and creates an inclusive community where violence and discrimination are clearly sanctioned.

In the context of Serbia, e-sport still does not have a separate law, but relies on existing regulations in the field of sports, work, contractual relations, intellectual property and data protection. The Law on Sports (2016) provides certain foundations, but e-sports is not explicitly recognized in it, although it could be included in the sports register (Art. 2, 83, 88). The Labor Law (2018) provides a framework for regulating labor relations and the rights of minors (Art. 10, 18, 104-107), while the Law on Obligations (2020) regulates the contractual relations of players, teams and sponsors (Art. 12, 25, 268). Copyright and intellectual property are regulated by the Law on Copyright and Related Rights (2016), which is of particular importance due to the connection of e-sports with video games and digital content (Articles 20, 95). Data protection is regulated by the Personal Data Protection Act (2018), while the Electronic Commerce Act (2019) covers the legal aspects of digital platform operations (Articles 9, 16). These regulations can serve as a foundation, but their application to e-sports remains partial and fragmented.

In order to improve the legal regulation of e-sports in the Republic of Serbia, it

is necessary to consider the adoption of a special law or by-laws that would clearly define the status of e-sports as a sports or special economic activity. This would enable its formal inclusion in the sports system, but also more precise regulation of the relationship between key actors - players, teams, organizers and game publishers.

Special attention should be paid to the standardization of contractual relations through the introduction of minimum mandatory elements of contracts for professional players, including protection of labor rights, limitation of working hours and mandatory health insurance. It is also recommended to establish a national register of e-sport organizations and professional players, which would ensure greater transparency and institutional control.

In the area of protection of minors, it is necessary to define clear guidelines that would regulate the participation of young people in professional competitions, including parental consent, limitations regarding the duration of training and competitions, as well as mandatory psychological and pedagogical support.

Finally, it is recommended to strengthen the cooperation between state institutions, sports federations and international e-sport organizations, in order to bring domestic regulations into line with global standards and enable more active inclusion of Serbia in international e-sports trends.

Considering the growing importance of e-sports in the social, economic and cultural sense, it is clear that Serbia must go in the direction of adopting specific regulations that will ensure stability and protection of all actors in the industry. This would avoid existing legal gaps, enable the recognition of e-sports as a sports discipline and lay the groundwork for its inclusion in international sports streams.

## **Conclusion**

E-sport, as a rapidly growing and global industry, represents a significant social, cultural and economic phenomenon, whose impact on all spheres of society is becoming more and more obvious. The legal framework that regulates e-sports must be dynamic and adaptable, in order to be able to respond to the challenges that this industry brings, including the protection of intellectual property, the rights of players, data security, as well as the prevention of violence and discrimination.

The development of comprehensive legislation specific to e-sports, as well as harmonization with international standards, are necessary for stability and legal certainty in this area. Also, protecting players' rights, improving conditions for professionals, and ensuring transparency in transfers and contracts are critical to maintaining the integrity of the industry. Education and implementation of ethical codes can contribute to reducing violence and discrimination, creating an inclusive and safe community. In order for e-sports to continue to grow and become a stable sector in the global economy, legal regulation must be comprehensive and flexible, and its development must

follow the speed of innovation and technological progress. Legal protection of all participants in e-sports - from players and organizations, to sponsors and spectators - is crucial for the further successful development of this industry. The improvement of legal regulations will be the basis of the quality setting of organizational and managerial structures in the system of e-sports in Serbia. Clearly defining the relationship between video game publishers, competition organizers and players themselves is an important prerequisite for stabilizing the industry. The current practice, in which much of the power rests in the hands of game publishers, creates the risk of monopolization and uneven application of the rules. For this reason, it is important that national and international institutions, such as the international eSports Federation (IESF) and the Global Esports Federation (GEF), actively work to standardize the rules and create a balance of interests of all actors.

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